



## California State Fire Marshal **CODE INTERPRETATION**

Date Issued	12/19/11	Interpretation	11-002
Topic	I occupancies "similar spaces"		
Code Section(s)	2010 CBC 107 and 407.2.1		
Requested by	Fire Safety Solutions Greg Granados 6125 Shenandoah Dr. Sacramento, CA 95841		

I am requesting a formal interpretation of the following questions and clarification of OSFM interpretation 09-003.

- 1. Is it the intent of the State Fire Marshal to allow the designer of record of the building official to classify the actual occupancy of an area and in doing so the requirement for the individual occupancy?**

There's no assignment of responsibility found within the 2010 CBC. Therefore, the design professional can "legally" determine a building's occupancy; and the code official, in accordance with his Section 107 duties, will either concur or not concur with the design professional's decision during plan review and/or inspections as a part of enforcing the provisions of the code.

- 2. Interpretation 09-003 Residential Care Facilities states in I-1 that areas for dining and activities greater than 750 sq. ft. are A-3 occupancies regardless of the percentage of the floor area. Does this section override the 407.2.1 which allows unlimited open areas in I-2 occupancies?**

No, 09-003 is in reference to I-1 occupancies only.

- 3. Question number 3 of interpretation 09-003 allows for only small spaces such as waiting rooms and similar spaces, would a dining area smaller than 750sq. ft. meet this intent?**

Yes, see code commentary.

4. **Are libraries, living areas and group activities areas also allowed to be open to the exit egress corridor so long as the 407.2.1 requirements are met?**

No, Libraries, living areas and group activity areas do not meet the intent of 407.2.1.